



Fw: draft UEC Approval letter

Wren Stenger to: Philip Dellinger, Ray Leissner, David Gillespie
Cc: "Bill Honker", "Stacey Dwyer", "Ben Harrison"

11/29/2012 04:46 PM

From: Wren Stenger/R6/USEPA/US
To: Philip Dellinger/R6/USEPA/US@EPA, Ray Leissner/R6/USEPA/US@EPA, David Gillespie/R6/USEPA/US@EPA
Cc: "Bill Honker" <honker.william@epa.gov>, "Stacey Dwyer" <dwyer.stacey@epa.gov>, "Ben Harrison" <harrison.ben@epa.gov>

Here is what I sent to TCEQ. Charles said he has alerted Brent and they will touch base with upper management tomorrow. He said their letter is ready to go.

----- Forwarded by Wren Stenger/R6/USEPA/US on 11/29/2012 04:45 PM -----

From: Wren Stenger/R6/USEPA/US
To: charles.maguire@tceq.texas.gov, brent.wade@tceq.texas.gov
Cc: "Bill Honker" <honker.william@epa.gov>, "Stacey Dwyer" <dwyer.stacey@epa.gov>, "Ben Harrison" <harrison.ben@epa.gov>
Date: 11/29/2012 04:44 PM
Subject: draft UEC Approval letter



Draft Golias approval letter Nov 29 2012.docx

Charles, Brent,

Here is EPA's draft approval letter for the UEC aquifer exemption. Let us know if you have any comments and concerns. Once we get TCEQ's amended exemption request, we will fine tune the letter to incorporate dates, enclosures, and whatever else is needed. We would like to sign the letter early next week, but that depends on receiving TCEQ's letter. What is your timing for sending us your amended request? Call Bill, Stacey, or me if you have any questions. Thanks

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Mr. Zak Covar
Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

RE: UIC Program Revision establishing an Aquifer Exemption for Uranium mining in the A, B, C, and D sands of the Goliad Aquifer near Ander, Texas in Goliad County

Dear Mr. Covar:

The U.S. Environmental Protection Agency completed its review of the Texas Commission on Environmental Quality's (TCEQ) amended application dated [insert date] to exempt portions of the A, B, C and D sands of the Goliad Aquifer near Ander, Texas and considers it a non substantial revision to the TCEQ underground injection control program. As such, by authority delegated to the Regional Administrator and redelegated to the Water Quality Protection Division Director, the EPA approves the amended exemption under the criteria provided in Title 40 of the Code of Federal Regulations §146.4.

EPA finds that the portion of the aquifer proposed for exemption does not currently serve as a source of drinking water for the following reasons: 1) fluid levels indicate that ground water travels west to east over the B sand ore body, and 2) proof of hydraulic isolation provided by the laterally extensive clay confining layers is demonstrated by the cross-sections and pump test over the same area.

EPA concludes that the portion of the aquifer proposed for exemption meets the criteria for exemption as follows:

- §146.4 (a): It does not currently serve as a source of drinking water; and
- §146.4 (b) (1): It cannot now and will not in the future serve as a source of drinking water because it has been demonstrated by permit application to contain minerals that, considering their quantity and location, are expected to be commercially producible.

The areal extent of the exempted portions of the A, B, C and D sands are as described by the enclosed map(s) submitted by TCEQ on [insert date] amending the original application. The vertical boundaries of the exempted portions are the top of the A sand and the bottom of the D sand as described in TCEQ's application. Further, the amended map submitted by TCEQ represents a reduction in the original areal extent of the exemption application, therefore no further public participation is required by

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EPA. This exemption only allows the injection of lixiviant through Class III injection wells for the purposes of mining uranium. If you have any questions, please contact me at (214) 665-3187, or your staff may contact Mr. Philip Dellinger, Chief of the Ground Water/UIC Section at (214) 665-8324.

Sincerely,

William K. Honker, P. E.
Director
Water Quality Protection Division (6WQ)

Enclosure(s)

cc: Art Dohmann, GCGWCD
Alvin DeForest, St. Peters Lutheran Church